

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**U.S. BANK, N.A., as Trustee for the  
Registered Holders of AEGIS Asset  
Backed Securities Trust Mortgage  
Pass-Through Certificates, Series  
2005-4,** §  
§  
§  
§  
§  
§  
Plaintiff, §  
v. §  
§ Civil Action No. **3:17-CV- 2271-L (BT)**  
**JOHN H. RICHARDSON and  
LINDA RICHARDSON,** §  
§  
§  
§  
Defendants. §

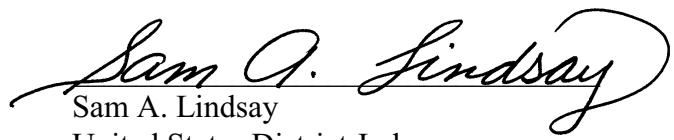
**ORDER**

On July 30, 2018, United States Magistrate Judge Rebecca Rutherford entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court grant Plaintiff/Counter-Defendant U.S. Bank, N.A.’s Motion to Dismiss Pursuant to Rule of Civil Procedure 12(b)(6) (Doc. 32), filed October 17, 2017, and dismiss with prejudice the counterclaim(s) asserted by John H. Richardson and Linda Richardson, who are proceeding pro se. The magistrate judge further recommends that the court not allow John H. Richardson and Linda Richardson to amend their pleadings because doing so would be futile. No objections to the Report were filed.

Having reviewed the motion, the parties briefs, the pleadings, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Plaintiff/Counter-Defendant U.S. Bank, N.A.’s Motion to Dismiss Pursuant to Rule of Civil Procedure 12(b)(6) (Doc. 32) and **dismisses with**

**prejudice** all counterclaim(s) asserted by John H. Richardson and Linda Richardson in this action. Further, for the reasons set forth in the Report, John H. Richardson and Linda Richardson will not be allowed to amend their pleadings. The court also notes that John H. Richardson and Linda Richardson did not request to amend their pleadings in the event U.S. Bank, N.A.'s motion was granted.

**It is so ordered** this 14th day of August, 2018.



Sam A. Lindsay  
United States District Judge